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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,280	08/27/2001	Frederick H. Carter	15437-0546	4555

29989 7590 11/12/2004	EXAMINER
HICKMAN PALERMO TRUONG & BECKER, LLP	BRUCKART, BENJAMIN R

ART UNIT	PAPER NUMBER
2155	

HICKMAN PALERMO TRUONG & BECKER, LLP
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DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _27 August 2001_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Detailed Action

Claims 1-26 are pending in this Office Action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Publication No. 2002/0178254 by Brittenham et al.

Regarding claim 1, in a process comprising at least one activity, a computer implemented

method for performing an activity (Brittenham: page 2, para 17; page 4, para 41; activity

= web service), comprising:

receiving a message to perform an activity which calls for invocation of a service

provided by a service application (Brittenham: page 2, para 17; web service), said service

being invocable using a protocol (Brittenham: page 4, para 41);

obtaining a service definition for said service (Brittenham: page 4-5, para 47-48);

executing a set of logic which implements said protocol to generate a service

invocation (Brittenham: page 2, para 17), wherein said service invocation is generated

based upon at least a portion of said service definition, and is in compliance with said

protocol (Brittenham: page 4-5, para 41, 47-48, 53); and

sending said service invocation to said service application to invoke said service

(Brittenham: page 5, para 50).

Regarding claim 2, the method of claim 1, wherein said protocol is an industry standard protocol (Brittenham: page 4, para 41).

Regarding claim 3, the method of claim 2, wherein said protocol is SOAP (simple object access protocol) (Brittenham: page 4, para 41).

Regarding claim 4, the method of claim 2, wherein said protocol is ebXML (Brittenham: page 4, para 41; col. 2).

Regarding claim 5, the method of claim 1, wherein said activity has an activity definition associated therewith, and wherein said activity definition comprises said service definition (page 5, para 53; definition for deployed service).

Regarding claim 6, the method of claim 1, wherein said service definition comprises an indication that said protocol is to be used to invoke said service (Brittenham: pages 5-6, para 55, 58; name of the soap server, run-time environment; different services leverage web services stack of different protocols; Figure 6).

Regarding claim 7, the method of claim 1, wherein said service definition comprises access information for accessing said service (Brittenham: page 5, para 48; end point information).

Regarding claim 8, the method of claim 7, wherein said access information comprises a URI (universal resource identifier) (Brittenham: page 5, para 48; URL is a component of a URI. URI is made up of URNs and URLs).

Regarding claim 9, the method of claim 7, wherein said access information comprises a service name (Brittenham: page 4, para 40).

Regarding claim 10, the method of claim 1, wherein said service definition comprises mapping information that maps one or more attributes associated with said activity to one or more parameters used by said service (Brittenham: pages 4-5, para 47-48; Figures 5a-5c; binds service with node).

Regarding claim 11, the method of claim 1, wherein said message to perform said activity is received from a process management engine, and wherein said method further comprises:

receiving a reply from said service application which comprises one or more results of said service invocation (Brittenham: page 6, para 57); and

providing at least a portion of said one or more results to said process management engine to complete performance of said activity (Brittenham: page 6, para 56-57; process management engine = DN).

Regarding claim 12, a computer implemented method for performing one or more activities (Brittenham: page 2, para 17; page 4, para 41; activity = web service), comprising:

receiving a first message to perform a first activity which calls for invocation of a first service provided by a first service application (Brittenham: page 2, para 17; web services; *The Brittenham reference teaches the deployment node for a plurality of web services. The deployment node receives a plurality of messages for different services as shown in Figure 3 with the counter and POP and in Figure 1 with the different origin server and POP servers*);

obtaining a service definition for said first service (Brittenham: pages 4-5, para 47-48), said service definition for said first service comprising an indication that a first protocol is to be used to invoke said first service (Brittenham: page 4, para 41; pages 5-6, para 55, 58; name of the soap server, run-time environment; different services leverage web services stack of different protocols; Figure 6);

selecting a first set of logic based upon said indication in said service definition for said first service, said first set of logic implementing said first protocol (Brittenham: page 5, para 41);

executing said first set of logic to generate a first service invocation (Brittenham: page 5, para 50), wherein said first service invocation is generated based upon at least a portion of said service definition for said first service, and is in compliance with said first protocol (Brittenham: page 4-5, para 41, 47-48, 53); and

sending said first service invocation to said first service application to invoke said first service (Brittenham: page 5, para 50).

Regarding claim 13, the method of claim 12, further comprising:

receiving a second message to perform a second activity which calls for invocation of a second service provided by a second service application (Brittenham: page 2, para 17; web service);

obtaining a service definition for said second service (Brittenham: pages 4-5, para 47-48), said service definition for said second service comprising an indication that a second protocol is to be used to invoke said second service (Brittenham: page 4, para 41; pages 5-6, para 55, 58; name of the soap server, run-time environment; different services leverage web services stack of different protocols; Figure 6);

selecting a second set of logic based upon said indication in said service definition for said second service, said second set of logic implementing said second protocol (Brittenham: page 5, para 41);

executing said second set of logic to generate a second service invocation (Brittenham: page 5, para 50), wherein said second service invocation is generated based upon at least a portion of said service definition for said second service, and is in compliance with said second protocol (Brittenham: page 4-5, para 41, 47-48, 53); and

sending said second service invocation to said second service application to invoke said second service (Brittenham: page 5, para 50).

While the examiner understands the difference between a computer implemented method for performing activities and a computer readable medium comprising instructions, which perform activities, the examiner relates these to the code and features of code running on a computer system. Therefore the claims below are equated to each other in nature and are therefore rejected accordingly.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number 571-272-3982. The examiner can normally be reached on 8:00-5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 571-272-

3982.

Benjamin R Bruckart
Examiner
Art Unit 2155   *ßℓß*

brb
November 5, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER